

a*22-1-103
a*22-4-108

AN ACT to amend Tennessee Code Annotated, Section 22-1-103
and Section 22-4-108, relative to jury service.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 22-1-103, is amended by adding the following as a new subsection:

() Notwithstanding the provisions of this section to the contrary, no employee of a business with fewer than one hundred (100) employees shall be summoned for jury service more often than once in a five (5) year period and no more than two (2) employees from a single company with one hundred (100) or fewer employees may be called at the same time.

SECTION 2. Tennessee Code Annotated, Section 22-4-108, is amended by deleting subsection (a)(2) in its entirety and substituting instead the following:

(2) If an employee summoned for jury duty is working a shift that extends past midnight or is working during hours preceding those in which court is normally held, such employee shall also be excused from employment as provided by this section for the shift immediately preceding the employee's first day of service on jury duty. After the first day of service, when such person's responsibility for jury duty exceeds three (3) hours during a day, then such person shall be excused from the person's next scheduled work period occurring within twenty-four (24) hours of such day of jury service.

SECTION 3. Tennessee Code Annotated, Section 22-4-108, is further amended by deleting subsection (b)(1) in its entirety and substituting instead the following:

(b) (1) Notwithstanding the excused absence as herein provided, the employee shall be entitled to the regular wage the employee earns in a regular course of normal duties consistent with the federal Fair Labor Standards Act, less the amount of the fee or compensation the employee received for serving as a juror, except that the employer may pay the employee such employee's usual compensation without deducting an amount equal to the fee or compensation the employee received for such employee's jury service.

SECTION 4. Tennessee Code Annotated, Section 22-4-108, is amended by deleting subsection (g) in its entirety and substituting instead the following:

(g) Any employer who intentionally retaliates against an employee for his service as a juror by negatively affecting the terms and conditions of his employment on an ongoing basis commits a Class A misdemeanor.

SECTION 5. This act shall take effect July 1, 1995, the public welfare requiring it.